

Application No. 10/795,795
Response and Amendment dated December 27, 2005
Reply to Office action of September 27, 2005
Docket Number 27433/04016

REMARKS

Claims 27-35 are pending in this application. Claim 27 is rejected and claims 28-35 are objected to. Claims 27-31 and claims 34-35 are hereby amended. The amendments do not constitute new matter. In view of the above-described amendments and following remarks, reconsideration of claims 27-35 is respectfully requested.

Claim Objections

The Examiner objected to claims 27, 31, and 34 because these claims contained minor typographical errors. These errors have been corrected and it is believed that the amendments to claims 27, 31, and 34 overcome the Examiner's objections. Claim 35 has also been amended to correct a typographical error noticed by the Applicant.

Claim Rejections - Section 112

The Examiner has rejected claim 27 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Examiner stated that the use of open comprising language in reference to a sequence from 3 to 10 amino acids in length is indefinite given that the peptide is limited to a maximum length of 10 amino acids. Claim 27 has been amended to recite: "A method for treating human subjects with blood clotting disorders, comprising: administering a pharmaceutical composition to the human subjects, wherein the pharmaceutical composition comprises a peptide having a total length of from 3 to 10 amino acids, wherein said peptide comprises a sequence which is identical to a sequence of from 3 to 10 consecutive amino acids found within amino acids 16 to 25 or 46 to 50 of SEQ ID No: 1". Applicant asserts that claim 27, as amended, is clear in providing that the peptide cannot contain more than 10 amino acids and is thus not indefinite.

The Examiner also stated that claim 27 is indefinite because SEQ ID No: 1, while representative of amino acids 307-356 of the human blood clotting factor Va, is labeled with numbers 1-50. As a result, one would not be able to identify amino acids 322-331 or 352-356, as originally recited in claim 27, by referring to SEQ ID No: 1. Accordingly, claim 27 has been amended to recite a sequence "which is identical to a sequence of consecutive amino acids found within amino acids 16 to 25 or 46 to 50 of SEQ ID No: 1, wherein SEQ ID No: 1 represents

Application No. 10/795,795
Response and Amendment dated December 27, 2005
Reply to Office action of September 27, 2005
Docket Number 27433/04016


amino acids 307 to 356 of the human blood clotting factor Va." It is believed that this amendment to claim 27 overcomes the Examiner's rejection. For purposes of consistency, claims 28-30 have also been amended so that the language of these claims directly refers to the numbering set forth in SEQ ID No: 1.

Applicant respectfully submits that claims 27-35 are now in condition for allowance. Prompt notice of such allowance is respectfully requested.

No additional fees are believed due in connection with this response. However, in the event additional fees or extensions are required, the Examiner is authorized to treat this letter as a request for further extensions and to charge Deposit Account No. 03-0172.

Respectfully submitted,

Date: 12/27/05

By: 
Sarah E. Eurek, Reg. No. 57,290
(216) 622-8317
Customer No. 24024